



Prepared by the

Maryland State Soil Conservation Committee

Maryland Department of Agriculture

Maryland Department of the Environment

Maryland Department of Natural Resources

University of Maryland Extension

USDA Farm Service Agency

USDA Natural Resources Conservation Service

Maryland Association of Soil Conservation Districts

Maryland Agricultural Commission

These cooperating agencies' programs are open to all citizens without regard to race, color, sex, handicap, religion, age, or national origin.



Financial assistance provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration (NOAA).

Why Do I Need A Permit?

Maryland farmers play a key role in preserving water quality in the Chesapeake Bay and its tributaries. With 2 million acres of land under cultivation, farming activities can have a direct impact on water quality throughout the state.

In Maryland, a system of licenses, permits, and approvals has been developed to minimize negative impacts of agricultural activities on water quality. These state authorizations—required by law for certain agricultural activities—are issued by the Maryland Departments of Agriculture, Environment and Natural Resources.

This handbook provides a quick reference to help you determine when a permit is needed, how the permitting process works and where to go for help. Keep in mind that some projects require multiple permits and that in some cases, federal and local authorities may require separate approvals.

Although this booklet focuses on state authorizations, we have also included the U.S. Army Corps of Engineers' 404 Permit, a commonly needed federal approval. To simplify the complex permit network, a checklist of possible approvals needed for agricultural activities is included in the center of this guide.

There are several things that you can do to help speed up the permit process. First, work with your soil conservation district to determine the most cost-effective way to handle a project, with minimal environmental impact. Sometimes a small change in a project design or plan can eliminate the need for a permit.

Avoid delays by applying as early as possible and making all permit applications at the same time. When completing a permit application, make sure you have answered all questions and included any maps, drawings or plans that are required. Applications lacking signatures, fees, and other pertinent information can be delayed for days, or in some cases, weeks.

Remember, you are not alone in the permit process. Your local soil conservation district can help you get through the process and provide you with advice and assistance on all permitting requirements—federal, state, and local. A list of soil conservation district offices is provided at the end of this guide.

In addition, the Maryland Department of the Environment's Regulatory Services Coordination Office can provide you with assistance. The office can be reached by calling 800-633-6101.

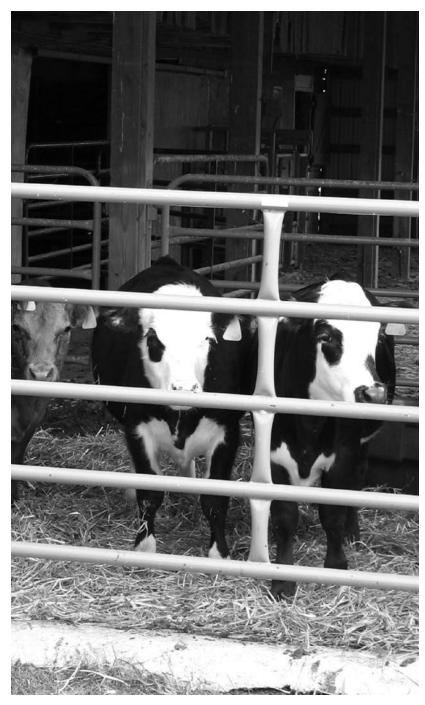


Abbreviations Used in this Guide

BMPs Best Management Practices CNMP Comprehensive Nutrient Management Plan CAFO Concentrated Animal Feeding Operation DNR Maryland Department of Natural Resources Maryland Animal Feeding Operation MAFO MDA Maryland Department of Agriculture MDE Maryland Department of the Environment **NPDES** National Pollutant Discharge Elimination System NMP Nutrient Management Plan Soil Conservation District SCD **SCWQP** Soil Conservation and Water Quality Plan

A Farmer's Guide to Environmental Permits

mit No	p. Page	No.
1	Animal Feeding Operation (CAFO) Permit	5
2	Animal Feeding Operation (MAFO) Permit	ϵ
3	Animal Waste Storage Structure Construction Notification	7
4	Aquaculture Permit	8
5	Construction Activity Approvals	ç
6	Critical Area and Coastal Bays Requirements	10
7	Industrial Wastewater Discharge Permit	11
8	Nontidal Wetlands Permits, Exemptions and Mitigation	12
9	Nutrient Applicator Voucher	14
10	Nutrient Management Consultant Certificate/License	15
11	Nutrient Management Requirements for Farm Operators	16
12	Organic Certification	17
	Checklist of Possible Approvals Needed for Agricultural Activities	18
13	Pest Control Applicator Certificate	20
14	Pest Control Applicator Consultant Certificate	21
15	Pesticide Applicator Certificate (Private)	22
16	Pesticide Business License/Pest Control Consultant License	23
17	Pesticide Dealer Permit	24
18	Pond Approvals	25
19	Section 401 Water Quality Certification	26
20	Sewage Sludge Utilization Permit	27
21	Surface Mine Permit/License	28
22	Tidal Wetlands License/Permit	29
23	Toxic Materials Permit	30
24	U.S. Army Corps of Engineers 404 Permit	31
25	Water Appropriation and Use Permit	32
26	Waterway Construction Permit	33
	Addendum: Internet Resources	34
	Addendum: Soil Conservation Districts	35



#1 Animal Feeding Operation (CAFO) Permit

Medium or large animal feeding operations that propose to discharge pollutants, including but not limited to manure, poultry litter or process wastewater to waters of the state are required to apply for a Concentrated Animal Feeding Operation (CAFO) permit from MDE. CAFOs are animal feeding operations with 37,500 or more animals per flock of chickens with dry manure handling; 25,000 or more laying hens with dry manure handling; 200 or more dairy cattle; 300 or more cattle (including heifers); 750 or more swine weighing more than 55 pounds; or 3,000 or more swine weighing less than 55 pounds. The regulations also include limits on the number of horses, veal, cattle, sheep, lambs, ducks and turkeys.

Issuing Agency

Maryland Department of the Environment Land Management Administration • Solid Waste Program 1800 Washington Boulevard, Suite 605 Baltimore, MD 21230 1-800-633-6101 or 410-537-4423

Download Instructions, AFO Size Chart and Notice of Intent

www.mde.state.md.us/Programs/LandPrograms/Solid_Waste/cafo/index.asp

How to Apply and What to Expect

- 1. Work with your SCD to submit a Notice of Intent (NOI) to MDE immediately if you fall under the CAFO definition or within 90 days of being designated as a CAFO along with a Comprehensive Nutrient Management Plan (CNMP). Your SCD will work with you to develop this plan which manages the production, handling, storage and/or treatment of all nutrients on the farm, from feed to manure.
- 2. MDE will review the NOI and the CNMP and then notify you in writing of coverage under the general permit. A site visit may be requested.
- 3. A comment period is provided. A public hearing may be held.
- 4. A final decision is made on the permit.

Processing Time $\,180\,\mathrm{days}.$

Duration Registration under the general permit is valid for the life of the current general permit. The permit is reviewed every five years. The current permit expires November 30, 2014.

Fees Waived by MDE until further notice.

#2 Animal Feeding Operation (MAFO) Permit

Large animal feeding operations (AFOs) that do not propose to discharge pollutants to waters of the state are required to apply for a Maryland Animal Feeding Operation (MAFO) permit from MDE. An AFO is a feedlot or facility where animals are confined, fed and maintained for at least 45 days in any 12 month period. Feed is brought to the animals, which do not graze or otherwise seek nourishment in pastures or fields. AFOs are classified by MDE as small, medium or large. A small or medium AFO may also be designated as a MAFO and require a permit if MDE determines that it poses a risk to water quality.

Issuing Agency

Maryland Department of the Environment Land Management Administration • Solid Waste Program 1800 Washington Boulevard, Suite 605 Baltimore, MD 21230 1-800-633-6101 or 410-537-4423

Download Instructions, AFO Size Chart and Notice of Intent

www.mde.state.md.us/Programs/LandPrograms/Solid_Waste/cafo/index.asp

How to Apply and What to Expect

- 1. Work with your SCD to submit a Notice of Intent (NOI) to MDE immediately if you fall under the MAFO definition or within 90 days of being designated as a MAFO.
- Submit to MDE either a federal Comprehensive Nutrient Management Plan (CNMP) or a state nutrient management plan that is integrated with a Soil Conservation and Water Quality Plan (SCWQP) showing how you plan to protect water quality.
- 3. MDE will review the NOI and the plans and notify you in writing of coverage under the general permit. A site visit may be requested.
- 4. Although there is no requirement for holding a public hearing for MAFOs, there is an opportunity for public review and comment.

Processing Time 180 days.

Duration Registration under the general permit is valid for the life of the current general permit. The permit is reviewed every five years. The current permit expires November 30, 2014.

Fees None.

#3 Animal Waste Storage Structure Construction Notification

Required if you plan to construct an animal waste or manure storage structure.

Agency to Be Notified

Maryland Department of the Environment Land Management Administration • Solid Waste Program 1800 Washington Boulevard, Suite 455 Baltimore, MD 21230 1-800-633-6101

How to Apply and What to Expect

- Work with your SCD to complete a construction notification form for MDE explaining the type of structure you plan to build and its location on your property. A property sketch, zoning and surrounding land use considerations, design specifics, construction schedule and animal units (including the kind and number of livestock served) should be included.
- 2. Submit this information to MDE by certified/return receipt mail. MDE does not issue confirmations, so keep your certified/return mail receipt as proof of submittal.

Processing Time Not applicable.

Fees None.

#4 Aquaculture Permit

Aquaculture facilities are regulated to minimize environmental impacts, protect the genetic integrity of native fish species, prevent aquatic disease outbreaks and avoid the accidental introduction of exotic species. Operators of new aquaculture facilities may also be required to obtain additional permits. See checklist on pages 18-19. A Water Column Lease from the Maryland Board of Public Works may also be required for culture in tidal waters of the state. This permit is intended to license commercial aquaculture operations.

Issuing Agency

Maryland Department of Natural Resources Fisheries Service Aquaculture Permit Coordinator Tawes State Office Building Annapolis, MD 21401 410-260-8317

Download Requirements and Application

www.dnr.state.md.us/fisheries/recreational/hatchery/aquaculture.html

How to Apply and What to Expect

- Submit a completed application to DNR along with a location map, description of culture operation, a solid waste management plan and sketch of facility. Plans for treatment and entrapment systems for hybrid or nonnative species must be included.
- 2. DNR will visit the site to check for compliance with state aquaculture regulations.
- 3. A final decision is made on the permit.

Processing Time One month.

Fees None.

Duration Five years, renewable. The permittee is required to report production to the Fisheries Service annually.

#5 Construction Activity Approvals

Required if you plan to create an impervious area on your property that disturbs 5,000 sq. feet or more of land. New buildings, driveways or parking areas constructed on your property may require this approval. If your project disturbs one acre or more of land, you may also be required to submit a Notice of Intent to MDE.

Approval Authority

Stormwater management approval authority or the SCD.

Download Notice of Intent

www.mde.state.md.us/assets/document/AFO-NOI-09.pdf

How to Apply and What to Expect

- 1. Contact your local SCD to determine the proper authorizations needed.
- 2. You will be required to obtain an approved Stormwater Management Plan for the project. In addition, the farm's Soil Conservation and Water Quality Plan (SCWQP) will need to address how you plan to prevent sediment from leaving the construction site.
- 3. The SCD will walk you through the application process and coordinate any additional authorizations required by the local government or MDE.
- 4. A site visit may be performed. Landowners will need to provide the SCD with a sketch of the proposed project.

Duration Up to five years depending on the project.

Processing Time 30 to 45 days.

Fees Vary, depending on the jurisdiction.

#6 Critical Area and Coastal Bays Requirements

The Chesapeake Bay and Atlantic Coastal Bays Critical Area law provides special protection for Maryland's shorelines. All farms located within the Critical Area—the the 1000-foot strip of land around the shorelines of the Chesapeake Bay and Atlantic Coastal Bays and their tidal waters—must develop and implement a Soil Conservation and Water Quality Plan (SCWQP) approved by the local soil conservation district. The following agricultural activities are prohibited by law within the Critical Area and Coastal Bays Watershed:

- 1. Diking, draining, or filling of wetlands, unless mitigation is accomplished.
- 2. Clearing forests with grades of more than 15 percent.
- 3. Clearing forests located on certain highly erodible soils.
- 4. Land clearing which adversely affects water quality, plants, and wildlife habitat.
- 5. Clearing existing natural vegetation within 100 feet of tidal waters or wetlands.
- 6. Feeding or housing livestock within 50 feet of tidal waters.

For more information, contact your local soil conservation district.

#7 Industrial Wastewater Discharge Permit

Required for discharges of more than 10,000 gallons of clean water a day (as a monthly average), or any volume of discharge of waste/wastewater to surface or groundwater. Agricultural activities which may require this permit include aguaculture, crop irrigation, and facilities that process agricultural products on-site such as those making cheese or jam.

Issuing Agency

Maryland Department of the Environment Industrial and General Discharge Permits Division 1800 Washington Boulevard, Suite 455 Baltimore, MD 21230 1-800-633-6101

Download Application

www.mde.maryland.gov/Permits/WaterManagementPermits/water_permits/ index.asp

How to Apply and What to Expect

- 1. Submit an National Pollutant Discharge Elimination System (NPDES) permit application along with a facility map to MDE. Application forms are available by calling 1-800-633-6101 or visiting MDE's web site at www.mde. state.md.us. Your SCD and University of Maryland Extension agent can assist you in preparing your application. (A nutrient management plan and animal waste management system information will be required for animal operations.)
- 2. MDE may inspect the site to determine if the facility qualifies for a general permit.
- 3. For some permits, a comment period is provided. A public hearing may be required.
- 4. A final decision is made on the permit.

Processing Time Five months or more.

Application Fee \$0 - \$20,000, depending on volume, type of industry and use.

Duration One to five years, depending on the discharge volume.

#8 Nontidal Wetlands Permits, Exemptions and Mitigation

Agriculture and forestry activities are exempted from the regular permit process, although mitigation and BMPs may be required. Forestry activities must implement the BMPs contained in the SCD-approved sediment and erosion control plan that has been prepared by a registered professional forester.

Issuing Agency

Maryland Department of the Environment
Water Management Administration • Wetlands and Waterways Program
1800 Washington Boulevard, Suite 430
Baltimore, MD 21230
1-800-633-6101 or 410-537-3768

Download Application

 $www.mde.maryland.gov/Permits/WaterManagementPermits/water_permits/index.asp$

Exemptions

The following agricultural activities are exempted from permit and mitigation requirements:

- 1. Repair and maintenance of drainage ditches, farm ponds, channels, subsurface drains, bridges, water control structures, aquaculture ponds and associated structures, roads, causeways and all existing BMPs.
- 2. Agricultural activities on land that has lain fallow for five years or less.
- 3. Agricultural activities in areas set aside or taken out of production by formal agricultural programs. Exemption expires five years after participation in the set-aside program ends.
- 4. Structures needed for the continued operation of a farm in areas where agricultural activities have been ongoing.
- 5. Agricultural activities in isolated nontidal wetlands measuring less than one acre and without significant plant and wildlife value, as determined by the local SCD and verified by MDE.
- 6. Agricultural activities with a cumulative impact on nontidal wetlands of less than 5,000 square feet, when the local SCD has determined that the area has no significant plant or wildlife value. This determination must also be verified by MDE.

Mitigation

Mitigation or monetary compensation is required if you are conducting new

agricultural activities in nontidal wetlands resulting in impacts to nontidal wetlands. Mitigation includes creation, restoration, or enhancement of nontidal wetlands. The SCD will help you prepare a mitigation plan, if a plan is necessary. Monetary compensation may be accepted in lieu of mitigation if MDE determines that mitigation is not feasible. Mitigation may be deferred if the Secretary of Agriculture determines, after reviewing financial considerations, that it will create an economic hardship and jeopardize the continued operation of a farm. Mitigation may be deferred until one of the following occurs:

- 1. Economic hardship no longer exists.
- 2. Agricultural activities no longer take place in the nontidal wetland.
- 3. The current owner or operator transfers the farm to a new owner or operator. In these instances, the original owner/operator remains responsible for mitigation.

Permit and Mitigation Procedures

- 1. Contact your SCD to find out if your activities will affect nontidal wetlands and to determine local, state and federal requirements.
- 2. Your SCD will determine the size of the proposed wetland impact, whether it is in an isolated wetland and if it will impact areas with significant plant and wildlife value. The SCD will then submit this information to MDE. If your SCD determines that it is necessary, submit a completed joint federal/state application for construction in any flood plain, waterway, or wetland area to MDE's Regulatory Services Coordination Office. The application will be forwarded to the U.S. Army Corps of Engineers and other state agencies as required. Include project plans, description, location and site map.
- 3. Work with the SCD to develop a Soil Conservation and Water Quality Plan (SCWQP) with BMPs to minimize impact and to design a mitigation component, if required. Submit the mitigation component to MDE.
- 4. A site inspection will be performed.
- 5. If the U.S. Army Corps of Engineers, MDE's Dam Safety Division or Nontidal Wetlands and Waterways Division requires a permit, or if a Water Quality Certification is required, an opportunity for public comment is provided. A hearing may be held.
- 6. A final decision is made on applicable permits, the Water Quality Certification, and the mitigation plan.

Processing Time Minimum of sixty days. Processing time varies with project complexity.

Fees None.

#9 Nutrient Applicator Voucher

Farmers who own or manage agricultural land and apply their own nutrients to ten or more acres are required to attend a two-hour education program on nutrient application once every three years.

Issuing Agency

Maryland Department of Agriculture Nutrient Management Program 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5959

Download Training Schedule

www.mda.state.md.us/resource_conservation/nutrient_management/programs.php

How to Apply and What to Expect

- 1. University of Maryland Extension schedules free training at locations throughout the state.
- 2. Contact your local Extension office for a training schedule/registration information.
- Complete the two-hour, MDA-approved education course in a satisfactory manner.

Processing Time Participants will receive their voucher at the conclusion of the training session.

Duration Three years. Renewable upon completion of a two-hour MDA-approved education course.

Fees None.

Special Note to Farmers: A nutrient applicator voucher does not allow you to apply nutrients for hire or qualify you to develop a nutrient management plan.

#10 Nutrient Management Consultant Certificate/License

Certification is required if you provide nutrient management plans or recommendations to others or apply nutrients to agricultural land for hire. All firms, agencies or individuals providing farmers with state-approved nutrient management services must also be licensed by MDA. **Note:** Farmers who plan to write nutrient management plans for their own operations should see Nutrient Management Requirements for Farm Operators.

Issuing Agency

Maryland Department of Agriculture Nutrient Management Program 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5959

Download Training/Exam Schedule

www.mda.state.md.us/resource_conservation/nutrient_management/programs.php

How to Apply and What to Expect

- You must have at least one year of experience in nutrient management planning and/or a degree or academic certificate in an agriculturally related area acceptable to MDA.
- 2. Submit a completed application to MDA with the \$50 fee. (*government agencies exempt*)
- 3. Pass the nutrient management examination.
- 4. An optional two-day *Fundamentals of Nutrient Management* training course is offered prior to the exam and includes an overview of the areas covered. Check the website for registration information.

Processing Time Certification cards will be mailed to successful candidates approximately one month after the exam.

Duration One year for first time issue. Renew certificate by completing six hours of approved continuing education credits during the first year and 12 hours of continuing education credits every three years thereafter. Renewable with a \$50 fee after the first year and a \$150 fee for the three year term thereafter. Training must be organized or approved by MDA.

License Fee Ranges from \$50-\$100 depending on the type of business. *(government agencies exempt)*

#11 Nutrient Management Requirements for Farm Operators

Farmers grossing \$2,500 a year or more or livestock producers with 8,000 pounds or more of live animal weight are required to operate their farms using a state-approved nutrient management plan that addresses nitrogen and phosphorus inputs. Farmers may become certified by MDA to write their own nutrient management plans through the *Farmer Training and Certification Program*.

Issuing Agency

Maryland Department of Agriculture Nutrient Management Program 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5959

Download Training Schedule

www.mda.state.md.us/resource_conservation/nutrient_management/index.php

How to Apply and What to Expect

- 1. Farmers attend 16 hours of training and take an open book nutrient management exam geared toward their specific type of operation.
- 2. Farmers who pass the exam work with an Extension agent or MDA nutrient management specialist to develop their first plan.
- 3. Classes are held in the fall and winter. Farmers should register for the class that most closely describes their operations. Check the MDA website or contact the University of Maryland Extension for dates and locations.

Processing Time Approximately one month.

Duration One year. Farmers must attend six hours of continuing education classes once every three years in order to remain eligible to update and revise their plans. There is no fee for this program and the class satisfies nutrient applicator training requirements.

Certification Fee \$20.

Note: Farmers are required to update their nutrient management plans and submit annual implementation reports to MDA by March 1 of each year showing that they implemented their plans.

#12 Organic Certification

MDA's Organic Certification Program certifies producers and handlers of agricultural organic products according to the National Organic Program rule. Organic crops are grown without the use of synthetic fertilizers or pesticides for at least 36 months prior to harvest. Cover crops, compost and other natural fertilizers are used to maintain soil fertility. Biological controls and natural pesticides may be used to combat pests. In order to be certified as organic, livestock must be fed certified organic feed and have access to a certified organic pasture. There are varying requirements depending on whether livestock are certified for meat, milk, eggs, wool, or breeding. The use of antibiotics and hormones is prohibited. *Certified Organic* logos are available to qualified operators.

Issuing Agency

Maryland Department of Agriculture Organic Certification Program 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5769

Download Application

www.mda.state.md.us/pdf/handler_application.pdf

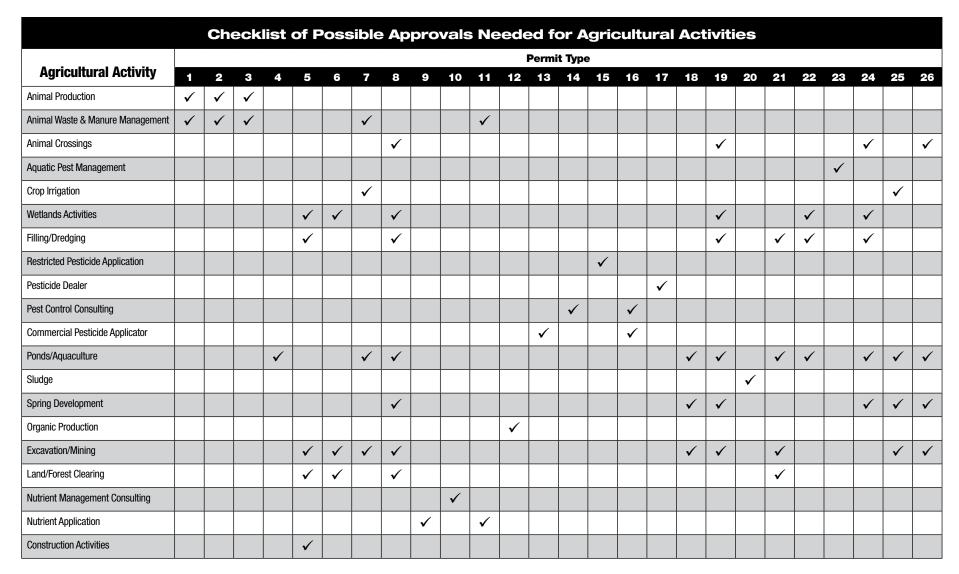
How to Apply and What to Expect

- 1. Submit to MDA a completed application and organic farm plan containing information on farm size, number of animals, farm equipment, location, soil fertility plan, contamination and pest controls, seed sources and current and historical use of materials for fields, crops and animals.
- 2. MDA site inspections begin in April. Soil, plant tissue and water may be tested.

 $\label{processingTime} \textbf{Processing Time} \ \ \textbf{Three to six months, depending on the type of operation.}$

Fees \$500.

Duration One year. Must be renewed annually to maintain certification. Renewal applications are due March 31.



- 1 Animal Feeding Operation (CAF0) Permit
- 2 Animal Feeding Operation (MAFO) Permit
- 3 Animal Waste Storage Notification
- 4 Aquaculture Permit
- 5 Construction Activity Approvals
- 6 Critical Area/Coastal Bays Requirements
- 7 Industrial Wastewater Permit

- 8 Nontidal Wetlands Permit
- 9 Nutrient Applicator Voucher
- 10 Nutrient Management Consultant
- 11 Nutrient Management Requirements
- 12 Organic Certification
- 13 Pest Control Applicator Certificate

- 14 Pest Control Consultant
- 15 Pesticide Applicator Certificate (Private)
- 16 Pesticide Business License/Consultant
- 17 Pesticide Dealer Permit
- 18 Pond Approvals
- 19 Section 401 Water Quality Certification
- 20 Sewage Sludge Utilization Permit

- 21 Surface Mine Permit/License
- 22 Tidal Wetlands License/Permit
- 23 Toxic Materials Permit
- 24 U.S. Army Corps of Engineers 404 Permit
- 25 Waterway Appropriation and Use Permit
- 26 Waterway Construction Permit

#13 Pest Control Applicator Certificate

Required if you plan to offer or apply a general or restricted use pesticide to someone else's property.

Issuing Agency

Maryland Department of Agriculture Pesticide Regulation Section 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5710

Download Requirements

www.mda.state.md.us/plants-pests/pesticide_regulation/index.php

How to Apply and What to Expect

- 1. You must have one year of experience working with pesticides and/or a degree or academic certificate acceptable to MDA.
- 2. Submit a completed application to MDA.
- 3. Certificates are issued in conjunction with a Pesticide Business License (See Approval #16).
- 4. Pass the MDA examination with a score of 70 percent or better. Tests are given bimonthly.

Processing Time Two weeks.

Certificate Fee \$75.

Duration Valid July 1—June 30. Renewable yearly for a \$75 fee with verification of annual recertification training. Add \$25 for each additional pesticide category.

#14 Pest Control Consultant Certificate

Required if you offer or supply technical advice or supervision, perform pest inspections and identifications, or recommend a specific pesticide to control pests in or on the water, air, land, plants, structures, or animals.

Issuing Agency

Maryland Department of Agriculture Pesticide Regulation Section 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5710

Download Requirements

www.mda.state.md.us/plants-pests/pesticide_regulation/index.php

How to Apply and What to Expect

- 1. You must have one year of experience working with pesticides and/or a degree or academic certificate acceptable to MDA.
- 2. Submit a completed application to MDA.
- 3. Certificates are issued in conjunction with a Pest Control Consultant License (*See Approval #16*).
- 4. Pass the MDA examination with a score of 70 percent or better. Tests are given bimonthly.

Processing Time Two weeks.

Certificate Fee \$75.

Duration Valid January 1—December 31. Renewable yearly for a \$75 fee with verification of annual recertification training.

#15 Pesticide Applicator Certificate (Private)

Required before you purchase or apply a restricted use pesticide to your property or leased property to produce agricultural commodities such as fruits, vegetables, or nursery stock. An examination is given as part of this authorization to ensure adequate knowledge of pest control and product restrictions.

Issuing Agency

Maryland Department of Agriculture Pesticide Regulation Section 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5710

Download Information

www.mda.state.md.us/plants-pests/pesticide_regulation/index.php

How to Apply and What to Expect

- 1. Call your county Extension office for test study materials.
- 2. Pass the MDA examination with a score of 70 percent or better. Check with your county for test dates. Tests are also given on request at MDA.

Processing Time Two weeks.

Certificate Fee \$7.

Duration Three years, renewable with a \$7 fee and verification of recertification training during the final year of a valid certificate.

#16 Pesticide Business License/Pest Control Consultant License

Required for all businesses engaged in commercial pesticide applications or recommendations. Each business must employ at least one certified commercial applicator or pest control consultant.

Issuing Agency

Maryland Department of Agriculture Pesticide Regulation Section 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5710

Download Information

www.mda.state.md.us/plants-pests/pesticide_regulation/index.php

How to Apply and What to Expect

- 1. Submit a completed application to MDA with a \$150 fee.
- 2. Submit an original certificate of insurance showing amounts of general liability coverage.

Processing Time Two weeks.

License Fee \$150.

Duration Valid from January 1—December 31. Renewable yearly for a \$150 fee with certificate of insurance and employment verification for at least one certified applicator or pest control consultant.

#17 Pesticide Dealer Permit

Required if you plan to sell or distribute a restricted use pesticide.

Issuing Agency

Maryland Department of Agriculture Pesticide Regulation Section 50 Harry S. Truman Parkway Annapolis, MD 21401 410-841-5710

Download Information

www.mda.state.md.us/plants-pests/pesticide_regulation/index.php

How to Apply and What to Expect

- 1. Submit a completed application to MDA.
- 2. Agree to sell restricted use pesticides only to individuals who can produce a valid Pesticide Applicator Certificate.

Processing Time One week.

Application Fee \$25.

Duration One year, from January 1—December 31. Renewable with a \$25 fee.

#18 Pond Approvals

State approval is required for all ponds planned in Maryland. Generally, a pond that does not affect Class III natural trout waters may be exempted from state approval and authorized by the local SCD if it has less than 640 acres of drainage area, an embankment that is less than 20' high, and is a low-hazard structure, whose failure is unlikely to cause loss of life or property damage. A federal U.S. Army Corps of Engineers 404 Permit and Water Quality Certification may also be required.

Issuing Agency

Maryland Department of the Environment Water Management Administration • Dam Safety Division 1800 Washington Boulevard, Suite 445 Baltimore, MD 21230 1-800-633-6101

Download Application

www.mde.maryland.gov/Permits/WaterManagementPermits/water_permits/index.asp

How to Apply and What to Expect

- 1. Work with your local SCD to determine if a permit is necessary.
- 2. Submit a completed joint federal/state permit application to MDE's Regulatory Services Coordination Office.
- 3. If the pond meets certain criteria, it may be exempted from the state permit process. However, a Nontidal Wetlands Permit may be required, depending on the location of the proposed pond. (See Approval #8)
- 4. If a permit is necessary, an opportunity for a public hearing is provided.
- 5. A final decision is made on the permit.

Processing Time Six months or more.

Fees May be subject to a permit application fee.

Duration Construction must begin within two years of permit issuance.

#19 Section 401 Water Quality Certification

Validates the U.S. Army Corps of Engineers 404 Permit by certifying that a project will comply with Maryland water quality standards. Required if you intend to alter a flood plain, waterway, tidal or nontidal wetland. Agricultural activities that may require this approval include ponds, spring developments and livestock crossings.

Issuing Agency

Maryland Department of the Environment
Water Management Administration • Wetland and Waterway Program
Montgomery Park Business Center
1800 Washington Boulevard, Suite 430
Baltimore, MD 21230-1708
1-800-633-6101

How to Apply and What to Expect

- 1. Contact your SCD for assistance in determining necessary permits. In addition to the 404 Permit, a permit from MDE's Nontidal Wetlands and Waterways Division may be required. If you are planning a pond, request a pre-application meeting with MDE to receive assistance.
- 2. If a permit is required, submit a joint federal/state permit application to MDE's Regulatory Services Coordination Office. MDE will be contacted by the Corps if certification is needed.
- 3. Following a site inspection, an opportunity for public comment is provided. A public hearing may be held.
- 4. A final decision is made on the certification at the close of the notice period. If approved, MDE will send the certification to you or your agent, with a copy to the Corps.

Processing Time Two to three months.

Fees None.

#20 Sewage Sludge Utilization Permit

Required if you plan to transport sewage sludge or apply it to land. Sewage sludge application, however, is usually performed by a contractor. In these instances, the contractor is required to obtain this permit.

Issuing Agency

Maryland Department of the Environment
Land Management Administration • Solid Waste Program
Montgomery Park Business Center
1800 Washington Boulevard, Suite 605
Baltimore, MD 21230-1719
1-800-633-6101

Download Application

www.mde.maryland.gov/assets/document/permit/sludge_app.pdf

How to Apply and What to Expect

- 1. Submit a completed application to MDE. A nutrient management plan is required for land application. MDE will distribute copies to local agencies for review.
- 2. Sites are inspected and local authorities may request an informational meeting for local residents.
- 3. A final decision is made on the permit.

Processing Time Up to ten months.

Application Fee \$175 for agricultural land application.

Duration Five years.

#21 Surface Mine Permit/License

To ensure proper development of the state's mineral non-fuel resources and adequate land reclamation, authorization is required for excavation activities in excess of one acre that result in the off-site transport of minerals. Any non-fuel earthen material—including sand, gravel, stone, clay and topsoil—is considered a mineral.

Issuing Agency

Maryland Department of the Environment Land Management Administration • Mining Program 1800 Washington Boulevard, Suite 655 Baltimore, MD 21230 1-800-633-6101

Download Application

www.mde.maryland.gov/assets/document/permit/MDE-LMA-LIC007.pdf

How to Apply and What to Expect

- 1. Submit a completed application to MDE. Sites less than five acres do not require engineer-designed site plans, but mining activities are limited to 30,000 tons per year.
- 2. Obtain sediment control approval from your SCD and other necessary local approvals.
- 3. An opportunity for public hearing may be provided.
- 4. A final decision is made. A license is issued to the mine operator. A permit is issued to mine a site.
- 5. Contact the mining program for assistance with the application.

Processing Time Two months; three to six months, if a public hearing is required.

Fees Bonding/\$1,250 per acre; License/\$300; Permit/\$12 per acre, per year, plus one-time \$30 per acre reclamation fee for new acreage.

Duration Licenses are renewed yearly for \$150. Permits are issued for up to five years.

#22 Tidal Wetlands License/Permit

Tidal wetlands are open waters and marshes influenced by the rise and fall of the tide. Because of the importance of wetlands, a permit, license or other approval is required for any work that may change a tidal wetland. Agricultural activities that may require this authorization include dredging, drainage ditches, tide gates, and mosquito ditch maintenance.

Issuing Agency

Maryland Department of the Environment
Water Management Administration • Wetlands and Waterways
1800 Washington Boulevard, Suite 430
Baltimore, MD 21230
1-800-633-6101

Download Application

www.mde.maryland.gov/Permits/WaterManagementPermits/water_permits/index.asp

How to Apply and What to Expect

- 1. Submit a joint federal/state application to MDE's Regulatory Services Coordination Office. Copies will be distributed to all appropriate agencies, including the U.S. Army Corps of Engineers.
- 2. A site inspection may be performed.
- 3. An opportunity for public comment is provided for projects with significant impact. A public hearing may be held.
- 4. A final decision is made on the permit/license.

Processing Time A minimum of sixty days. Processing time varies with project complexity.

Fees None.

Duration Three years.

#23 Toxic Materials Permit

Required if you plan to apply toxic substances to manage aquatic life in state waters. Examples include mosquito, fish, aquatic wetland weed or algae control.

Issuing Agency

Maryland Department of the Environment Land Management Administration Industrial and General Discharge Permits Division Montgomery Park Business Center 1800 Washington Boulevard, Suite 455 Baltimore, MD 21230-1708 1-800-633-6101

Download Application

www.mde.maryland.gov/Permits/WaterManagementPermits/water_permits/index.asp

How to Apply and What to Expect

- 1. Submit a completed application to MDE. Include precautions you will use to protect downstream water users.
- 2. MDE gives the application to DNR for review.
- 3. A final decision is made on the permit.
- 4. In emergencies, limited permits for some chemicals may be obtained from your SCD in one to three days.

Processing Time One month.

Fees None.

Duration One to five years.

#24 U.S. Army Corps of Engineers 404 Permit

Section 404 of the Clean Water Act regulates the discharge of dredged, excavated, or fill material in wetlands, streams, rivers, and other U.S. waters. The U.S. Army Corps of Engineers is the federal agency authorized to issue Section 404 Permits for certain activities conducted in wetlands or other U.S. waters. Depending on the scope of the project and method of construction, certain farming activities may require this permit. Examples include ponds, embankments, and stream channelization. A general permit gives the state the lead for some 404 permits, enabling this function to be handled during the state permitting process. Contact your SCD for more information.

Issuing Agency

U.S. Army Corps of Engineers, Baltimore District P.O. Box 1715 Baltimore, MD 21203 410-962-3670

Exemptions

Certain agricultural activities are exempt from Section 404 Permit requirements and do not require notification. However, you should obtain confirmation that your project is exempt before beginning the activity. To be exempt, the activities must be part of an ongoing farming operation and cannot be associated with bringing a wetland into agricultural production or converting an agricultural wetland to a non-wetland area. For specifics, contact your SCD.

How to Apply and What to Expect

- 1. Work with your SCD to prepare your application. Include project plans, maps, and other pertinent information.
- 2. To speed up the permit process, state and federal permits are processed jointly. Applications for 404 Permits should be submitted to MDE's Regulatory Services Coordination Office. MDE will distribute your application to the proper federal authorities for review.

Processing Time 45-90 days. Longer for complex projects.

Application Fee None. \$10 or \$100 in some cases.

Duration Three to five years.

#25 Water Appropriation and Use Permit

Required if you plan to withdraw 10,000 gallons or more of water a day based on an annual average withdrawal from surface or underground waters for agricultural activities. Depending on the complexity of the activity, you may be required to obtain a well construction permit, Tidal Wetland License and Permit or Nontidal Wetlands and Waterways Permit. Permit holders are required to report water use to MDE annually.

Issuing Agency

Maryland Department of the Environment
Water Management Administration • Water Supply Program
1800 Washington Boulevard, Suite 445
Baltimore, MD 21230
1-800-633-6101 or 410-537-3714

Download Application

www.mde.maryland.gov/Permits/WaterManagementPermits/water_permits/index.asp

How to Apply and What to Expect

- 1. Work with your SCD to complete the application and obtain local land-use zoning approvals.
- 2. Submit a completed application to MDE along with a project map or plat and an explanation of the water use. Additional information required may include location of the intake (stream name), method of withdrawal, the number of wells, approximate depth of wells, type of irrigation system, number of irrigated acres, type(s) of crop(s), and number and type(s) of animals. A certification of notification to contiguous neighbors should also be included.
- 3. A site inspection may be performed.
- 4. If the requested quantity is more than 10,000 gallons per day, you will be required to notify contiguous neighbors.
- 5. A comment period is provided for requests of more than 10,000 gallons per day. A public hearing may be held.
- 6. A final decision is made on the permit.

Processing Time 90 days to 18 months.

Fees None.

Duration Twelve years maximum with a review every three years.

#26 Waterway Construction Permit

Required before construction can begin on any project—such as fill, buildings, bridges, or culverts—that changes the course, current or cross-section of a stream or its 100-year flood plain. Agricultural activities that may require this permit include ponds and dams. A general permit may allow BMPs such as livestock crossings, drainage outlets and spring developments if certain guidelines are met.

Issuing Agency

Maryland Department of the Environment
Water Management Administration • Wetlands and Waterways Program
1800 Washington Boulevard, Suite 430
Baltimore, MD 21230
1-800-633-6101

Download Application

www.mde.maryland.gov/Permits/WaterManagementPermits/water_permits/index.asp

How to Apply and What to Expect

- 1. Check with your local building permit office to determine your area's requirements.
- 2. Work with your SCD to develop project designs and determine if the project is authorized by a general waterway construction permit or Regional Letter of Authorization for agricultural BMPs. If so, your SCD will notify MDE.
- 3. If your SCD determines that a permit is necessary, submit a completed joint state/federal application to MDE's Regulatory Services Coordination Office. The application will be forwarded to other agencies, as required. Include construction plans, project description, construction sequence and design computations.
- 4. A site inspection may be performed by the MDE project manager. A comment period is provided and a hearing may be held.
- 5. A final decision is made on the permit.

Processing Time Two to six months.

Fees None.

Duration Five years. Construction must begin within two years of permit issuance.

Addendum: Internet Resources

Maryland Department of Agriculture

Home Page

www.mda.state.md.us

Regulatory Information Center

http://www.mda.state.md.us/news_room/reg_center.php

Pesticide Regulation

www.mda.state.md.us/plants-pests/pesticide_regulation/index.php

Nutrient Management Program

www.mda.state.md.us/resource conservation/nutrient management/ index.php

Financial Assistance Programs

www.mda.state.md.us/resource conservation/financial assistance/ index.php

Maryland Department of the Environment

Home Page

www.mde.state.md.us

Permits

http://www.mde.maryland.gov/permits/index.asp

Maryland Department of Natural Resources

Home Page

www.dnr.state.md.us

Aauaculture

http://dnr.maryland.gov/fisheries/recreational/hatchery/aquaculture.html

University of Maryland Extension

Agricultural Nutrient Management Program

http://anmp.umd.edu/

Addendum: Soil Conservation Districts

This guide provides general information on permits which may be required for certain agricultural activities. It is not a substitute for applicable federal, state, or local regulations, or a waiver of permits, licenses, or approvals required by law. Because regulations may change over time, contact your soil conservation district for the most up-to-date information. In addition, the Maryland Association of Soil Conservation Districts provides valuable information on soil conservation and water quality issues at www.mascd.net.

Allegany	301-777-1747, ext. 3
Anne Arundel	410-571-6757
Baltimore County	410-666-1188, ext. 3
Calvert	410-535-1521, ext. 3
Caroline	410-479-1202, ext. 3
Carroll	410-848-8200, ext. 3
Catoctin	301-695-2803, ext. 3
Cecil	410-398-4411, ext. 3
Charles	301-934-9588, ext. 3
Dorchester	410-228-5640, ext. 3
Frederick	301-695-2803, ext. 3
Garrett	301-334-6951
Harford	410-838-6181, ext. 3
Howard	410-489-7987
Kent	410-778-5150, ext. 3
Montgomery	301-590-2855
Prince George's	301-574-5162, ext. 3
Queen Anne's	410-758-3136, ext. 3
St. Mary's	301-475-8402, ext. 3
Somerset	410-651-1575, ext. 3
Talbot	410-822-1577, ext. 3
Washington County	301-797-6821, ext. 3
Wicomico	410-546-4777, ext. 3
Worcester	410-632-5439, ext. 3

Notes





State Soil Conservation Committee

Maryland Department of Agriculture 50 Harry S. Truman Parkway Annapolis, MD 21401